

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

D.N.J. LBR 2016-1, FEE APPLICATION COVER SHEET

IN RE: Shapes/Arch Holdings, LLC/ et al.,

APPLICANT: Latsha Davis Yohe & McKenna  
P.C.

CASE NO.: 08-14631 (GMB)

CLIENT: Aluminum Shapes

CHAPTER: 11

CASE FILED: March 16, 2008

COMPLETION AND SIGNING OF THIS FORM CONSTITUTES A CERTIFICATION UNDER  
PENALTY OF PERJURY, PURSUANT TO 28 U.S.C. SECTION 1746.

RETENTION ORDER(S) ATTACHED

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SECTION I  
FEE SUMMARY

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INTERIM FEE APPLICATION NO. \_\_\_\_\_ OR FINAL FEE APPLICATION \_\_\_\_\_

	<u>FEES</u>	<u>EXPENSES</u>
TOTAL PREVIOUS FEE REQUESTED:	\$ <u>47,928.00</u> <sup>1</sup>	\$ <u>5,295.28</u>
TOTAL FEES ALLOWED TO DATE:	\$ <u>20,000.00</u>	\$ <u>0.00</u>
TOTAL RETAINER (IF APPLICABLE):	\$ <u>N/A</u>	\$ <u>N/A</u>
TOTAL HOLDBACK (IF APPLICABLE):	\$ <u>N/A</u>	\$ <u>N/A</u>
TOTAL RECEIVED BY APPLICANT:	\$ <u>0.00</u>	\$ <u>0.00</u>

NAME OF PROFESSIONAL & TITLE	YEARS ADMITTED (OR YEARS OF PROFESSIONAL SERVICE)	HOURS	RATE	FEES
1. Kevin M. McKenna	22	132.30	220.00	\$29,106.00
2. Patricia A. Hennessy	13	25.30	180.00	\$4,554.00
3. Timothy W. Garvey	23	2.10	180.00	\$378.00
4. Joshua E. Pollak	2	4.50	180.00	\$810.00
5. Melissa L. Heckman	2	6.00	180.00	\$1,080.00
6. Mark G. Morford	13	8.00	180.00	\$1,440.00

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<sup>1</sup> LDY&M was retained by the Debtors and approved as an ordinary course professional pursuant to the Court's Order of April 23, 2008 and was entitled to receive fees of an average of up to \$5,000.00 per month which were presumed allowed provided there were no objections within ten (10) days of notice to interested parties of such fee request. No objections were filed related to fee requests that have been served. LDY&M's final invoice was submitted on August 28, 2008 and there have been no objections to date regarding this final invoice.

7. Patrick Hutchinson	1	6.00	180.00	\$1,080.00
8. Natalie Trotman	7	38.30	100.00	\$3,830.00
9. Olga Dietrich	17	56.50	100.00	\$5,650.00

FEE TOTALS-PAGE 2  
DISBURSEMENTS TOTAL -PAGE 3  
TOTAL FEE APPLICATION

47,928.00  
5,295.28  
53,223.28

SECTION II  
SUMMARY OF SERVICES

SERVICES RENDERED	HOURS	FEE
a) Asset Analysis and Recovery		
b) Asset Disposition		
c) Business Operations		
d) Case Administration	85.1	\$10,420.00
e) Claims Administration and Objections		
f) Employee Benefits/Pensions		
g) Fee/Employment Applications		
h) Fee/Employment Objections		
i) Financing		
j) Litigation (Other than Avoidance Action Litigation)		
k) Avoidance Action Litigation		
l) Meeting of Creditors		
m) Plan and Disclosure Statement	50.1	\$8,594.00
n) Relief from Stay Proceedings		
o) Regulatory Compliance		
p) Travel	5.5	790.00
q) Accounting/Auditing		
r) Business Analysis		
s) Corporate Finance and Valuation		
t) Data Analysis		
u) Litigation Consulting	138.3	\$28,124.00
v) Reconstruction Accounting		
w) Tax Issues		
x) Other (Specify category)		
SERVICES TOTAL:	279	\$47,928.00

SECTION III  
SUMMARY OF DISBURSEMENTS

DISBURSEMENTS	AMOUNT
a) Computer Assisted Legal Research	\$5.00
b) Facsimile (with rates) No. of Pages <u>109</u> Rate per Page <u>1.00</u> (Max. \$1.00/pg.)	\$109.00
c) Long Distance Telephone	\$1,811.27
d) In-House Reproduction No. of Pages <u>20,703</u> Rate per Page <u>.15</u> (Max. .20¢pg.)	\$3,105.45
e) Outside Reproduction	
f) Outside Research	
g) Filing/Court Fees	
h) Court Reporting	
i) Travel	\$24.00
j) Courier & Express Carriers (e.g. Federal Express)	\$57.92
k) Postage	\$182.64
l) Other (Explain)	
DISBURSEMENT TOTAL:	\$5,295.28

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SECTION IV  
CASE HISTORY

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(NOTE: Items 3-6 are not applicable to applications under 11 U.S.C. § 506)

(1) DATE CASE FILED: March 16, 2008

(2) CHAPTER UNDER WHICH CASE WAS COMMENCED: **Chapter 11**

(3) DATE OF RETENTION: **April 23, 2008**

(ANNEX COPY OF ORDER(S)) **Please see attached**  
IF LIMIT ON NUMBER OF HOURS OR OTHER LIMITATIONS TO  
RETENTION SET FORTH:

(4) SUMMARIZE IN BRIEF THE BENEFITS TO THE ESTATE AND ATTACH  
SUPPLEMENTS AS NEEDED:

LDY&M was retained by the Debtors and approved as an ordinary course professional by Court Order dated April 23, 2008.<sup>2</sup> In its capacity as environmental legal counsel to the Debtors, the firm provided lists of parties involved with the Debtors in environmental matters to ensure that each party would receive procedural due process of the bankruptcy cases. Once the EPIQ service list was provided to LDY&M, it reviewed the list and compared it to the service lists for environmental matters for which it acted as legal counsel to the Debtors. In addition, LDY&M reviewed the lists of parties in other environmental matters where it was not counsel of record. As a result of its overall review, LDY&M provided the names of additional parties to bankruptcy counsel so that they could be forwarded to EPIQ to ensure notices to all parties regarding the bankruptcy cases.

LDY&M also prepared fact statements regarding numerous environmental matters/sites for bankruptcy counsel who drafted the disclosure statement. In addition, LDY&M acted in a consulting manner for numerous environmental matters/sites where it was counsel for the Debtors, which were alleged to have had potential liability. During the course of its engagement, LDY&M also interfaced with the Environmental Protection Agency, New Jersey Department of Environmental Protection and private parties regarding the numerous underlying environmental matters/sites. Finally, LDY&M worked with the Debtors' insurance carriers during the pendency of the bankruptcy regarding the environmental matters/sites.

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<sup>2</sup>LDY&M was retained by the Debtors and approved as an ordinary course professional pursuant to the Court's Order of April 23, 2008 and was entitled to receive fees of an average of up to \$5,000.00 per month which were presumed allowed provided there were no objections within ten (10) days of notice to interested parties of such fee request. No objections were filed related to fee requests that have been served. LDY&M's final invoice was submitted on August 28, 2008 and there have been no objections to date regarding this final invoice.

(5) ANTICIPATED DISTRIBUTION TO CREDITORS:

(A) ADMINISTRATION EXPENSES:	<b>Paid In Full</b>
(B) SECURED CREDITORS:	<b>Paid In Full</b>
(C) PRIORITY CREDITORS:	<b>Paid In Full</b>
(D) GENERAL UNSECURED CREDITORS:	

**A Five Million Dollar fund (plus avoidance actions and estate actions) was created on the effective date for pro rate distribution to creditors. The estimated dividend to creditors is unknown at this time.**

(6) FINAL DISPOSITION OF CASE AND PERCENTAGE OF DIVIDEND PAID TO CREDITOR (IF APPLICABLE)

**The Third Amended Joint Plan of Reorganization as modified was confirmed on July 22, 2008 and the Plan became effective on August 8, 2008.**

I certify under penalty of perjury that the foregoing is true and correct.

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SIGNATURE OF APPLICANT

Sept. 6th 5, 2008  
Date